

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jana Anderson,)	
)	
Plaintiff,)	Case No.: 2:15-cv-0031-GMN-NJK
vs.)	
)	ORDER
Mercury Casualty Company,)	
)	
Defendant.)	
)	

Before the Court is the Motion to Remand, (ECF No. 8), filed by Plaintiff Jana Anderson. Defendant Mercury Casualty Company failed to file a response. For the reasons that follow, the Court GRANTS the Motion and REMANDS this action to Clark County District Court.

I. BACKGROUND

Plaintiff filed this lawsuit on November 25, 2014, in Clark County District Court. (Compl. at p.1, ECF No. 2-1). Defendant removed the case on January 7, 2015, citing this Court's jurisdiction pursuant to 28 U.S.C. § 1332. (Pet. for Rem. 1:17-19, ECF No. 1). The Complaint centers upon claims that Defendant failed to adequately compensate Plaintiff for injuries she allegedly sustained during a January 11, 2011, automobile accident. (Compl. at 4:12-15).

On January 21, 2015, Plaintiff filed the instant Motion, requesting that the Court remand this case to Clark County District Court based on Defendant's failure to show that the amount in controversy exceeds \$75,000. (ECF No. 8). Pursuant to Rule 7-2(b) of the Local Rules of Practice of the United States District Court for the District of Nevada, Defendant had fourteen days after service of the Motion to file a response. Accordingly, Defendant had until February 7, 2015, to respond to the Motion to Remand. However, because this deadline fell on a

1 Saturday, Plaintiff had until February 9, 2015, to respond. Fed. R. Civ. P. 6(a)(1)(C). Not only
2 did Defendant fail to meet this deadline, Defendant has failed to file any response whatsoever.

3 **II. DISCUSSION**

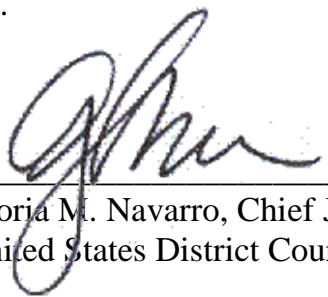
4 Local Rule 7-2(d) provides that “[t]he failure of an opposing party to file points and
5 authorities in response to any motion shall constitute a consent to the granting of the motion.” D.
6 Nev. R. 7-2(d). Here, Defendant failed to file a response regarding Plaintiff’s Motion to
7 Remand, and therefore consented to the granting of the Motion. Accordingly, the Court will
8 grant the Motion and remand this action to Clark County District Court.

9 **III. CONCLUSION**

10 **IT IS HEREBY ORDERED** that the Motion to Remand, (ECF No. 8), is **GRANTED**.

11 **IT IS FURTHER ORDERED** that this action is **REMANDED** to Clark County District
12 Court. The Clerk is instructed to close the case.

13 **DATED** this 11th day of February, 2015.

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18 Gloria M. Navarro, Chief Judge
19 United States District Court
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